



MICHAEL P. STUPINSKI
First Selectman

STATE OF CONNECTICUT • COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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NANCY O. WAY
Deputy First Selectman

PETER J. CHARTER
DENNIS W. FRAWLEY
ANN L. HARFORD
A. LEO MILLER, JR.
JAMES M. PRICHARD

BOARD OF SELECTMEN
Monday, April 10, 2006
Crystal Lake School - Gymnasium

SELECTMEN PRESENT: Peter Charter [arrived 7:37 p.m.], Dennis Frawley, Ann Harford, A. Leo Miller, James Prichard, Michael Stupinski and Nancy Way

OTHERS PRESENT: Crystal Lake Sailing Club: W. Moody; Crystal Lake Association: M. Mickiewicz; East Shore Road Association: A. Bonney and other interested residents; JI Reporter: J. Mithal

**PUBLIC HEARING: [1] CRYSTAL LAKE SAILING CLUB FOR REGATTA PERMIT;
[2] LAND USE ORDINANCE; [3] REVISION OF BUILDING PERMIT FEE ORDINANCE**

First Selectman Stupinski opened the public hearing at 7:30 p.m. and read the **attached** legal notice. He asked for comments from the public.

[1] CRYSTAL LAKE SAILING CLUB FOR REGATTA PERMIT:

Walter Moody, 32 East Shore Road, Commodore of the Crystal Lake Sailing Club, briefly explained the Regatta Permit. Mr. Stupinski spoke in favor of the permit noting that the event is a well-attended tradition.

[2] LAND USE ORDINANCE: No comments.

[3] REVISION OF BUILDING PERMIT FEE ORDINANCE: No comments

Hearing no further comments, Mr. Stupinski closed the Public Hearing at 7:34 p.m.

BOARD OF SELECTMEN:

I. CALL TO ORDER:

First Selectman Stupinski called the meeting of the Board of Selectmen (BOS) to order at 7:34 p.m.

II. CITIZENS' FORUM:

Mark Mickiewicz thanked the BOS for including funding in the budget for water testing at Crystal Lake. He also asked if funding was included for the Town's share for the implementation of the milfoil reduction pilot program. Mr. Stupinski stated that he is waiting for George Knoecklein, Northeast Aquatic Research, to submit a proposal in writing to the State DEP before he can submit a request for the money. Mr. Stupinski will follow up with the DEP.

III. APPROVAL OF MINUTES:

A. March 13, 2006 Board of Selectmen Regular Meeting

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO APPROVE THE MARCH 13, 2006 BOARD OF SELECTMEN MEETING MINUTES.

IV. UNFINISHED BUSINESS:

A. East Shore Road – Snow Plowing/Sanding

Ann Bonney, President, East Shore Road Association, stated that several residents have received advice from their attorneys that if they operate as a group in hiring a contractor to plow and sand the road, that they will not be covered by their homeowners' policy. The Association is requesting that the Town plow and sand East Shore Road as they do for Aborn Road.

Mr. Stupinski stated that in 1977 a motion was passed at a Town Meeting authorizing the Town to plow and sand Aborn Road. He referenced several Town Attorney opinions regarding that vote, which appears was not the proper thing for the Town to do on a private road. He stated that the same principle applies to East Shore Road. Mr. Stupinski also noted that the Town Charter does not allow the residents to petition the Town for these services.

Sharon Koonze, 48 East Shore Road, stated that it was common practice in other towns to rebate residents in condominiums for snow plowing and asked if the Town would consider such a rebate for the residents of East Shore Road. Mr. Stupinski stated that he has recently received a request from a condominium association and will consider East Shore Road when he researches the rebate concept. Ms. Koonze also asked Mr. Stupinski to obtain a current legal opinion regarding whether or not it is proper for the Town to plow a private road.

Piara Qusba, 44 East Shore Road, stated that East Shore Road access from Aborn Road was recently closed as the property owner of that parcel fears he will be sued if someone is injured. He stated that it will be difficult to provide emergency service without that access.

Mr. Burns stated that the Town maintains the sewer line on East Shore Road and questioned why they can't also plow the road. He asked Mr. Stupinski to consider including this question when requesting a Town Attorney opinion. Mr. Stupinski explained that the sewer is Town property and there is an easement that allows the Town to maintain the sewer.

B. Pinney Street Fire House – Set Town Meeting

This item was tabled pending receipt of motions from bond council.

C. Conservation Commission – Referendum for Open Space Funding

Mr. Stupinski did not feel it was good policy to set a referendum date this early. He noted that once the date is set, public funds cannot be used to advocate the proposal. Mr. Charter stated that Jim Gage, Conservation Commission member, would like to make a presentation at the next meeting. This item was tabled to the May 15, 2006 meeting.

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO ADD TO NEW BUSINESS: **ITEM I, SET TOWN MEETING – NEW/REVISED ORDINANCES, ITEM J, ADDITIONAL APPROPRIATION – REPAIR FLOOR AT CENTER FIRE DEPARTMENT AND ITEM K, REQUEST OF DPW DIRECTOR TO DONATE VEHICLE TO KIDSAFE.**

V. NEW BUSINESS:

A. Tax Refunds/Abatements:

MOVED (WAY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$5,857.77 AND TAX ABATEMENT IN THE AMOUNT OF \$229.73, AS RECOMMENDED BY THE TAX COLLECTOR IN THE REFUNDS /ABATEMENTS STATEMENT. **(ATTACHED)**

B. Crystal Lake Sailing Club Regatta Permit Application:

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO APPROVE THE 2006 APPLICATION FOR A REGATTA PERMIT, AS REQUESTED BY THE CRYSTAL LAKE SAILING CLUB.

C. Lease – Town-owned Property – Bahler:

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO ACCEPT THE OFFER FROM BAHLER FARMS TO LEASE THE LAND ON MIDDLE ROAD FOR AGRICULTURAL PURPOSES AND TO AUTHORIZE THE FIRST SELECTMAN TO SIGN THE LEASE AGREEMENT, AS PREPARED BY THE TOWN ATTORNEY, WHICH SHALL COMMENCE MAY 1, 2006 AND TERMINATE ON NOVEMBER 30, 2007.

D. Historic Preservation Technical Assistance Grant:

MOVED (WAY), SECONDED (FRAWLEY) TO ACCEPT THE HISTORIC PRESERVATION TECHNICAL ASSISTANCE GRANT IN THE AMOUNT OF \$1,250 TO ENGAGE THE SERVICES OF A CONSULTANT, PURSUANT TO NOMINATING THE PINNEY HOUSE TO THE NATIONAL REGISTER OF HISTORIC PLACES, FROM CONNECTICUT TRUST FOR HISTORIC PRESERVATION; AND FURTHER, TO APPROVE THE TOWN'S CO-PAYMENT OF \$1,250 FOR THIS GRANT AND AUTHORIZE THE FIRST SELECTMAN TO SIGN ANY NECESSARY DOCUMENTS.

Discussion:

Mr. Charter asked if Mr. Santini has input regarding the National Historic Register status of the Pinney House. Mr. Stupinski stated that Mr. Santini can refuse the designation. Mr. Miller expressed concern with spending \$1,250 only to find out that Mr. Santini is opposed to listing the property on the registry. Ms. Harford questioned if the designation will be valid if the house is moved. Mr. Miller suggested deferring action on this motion until the Town receives a definitive answer from Mr. Santini.

MOVED (HARFORD), SECONDED (PRICHARD) AND PASSED [OPPOSED: WAY] TO TABLE ACTION ON THE ABOVE MOTION UNTIL THE MAY 15, 2006 MEETING.

E. Resignation - Tax Collector

This item was tabled to the May 15, 2006 meeting.

F. Appointment - Tax Collector

This item was tabled to the May 15, 2006 meeting.

G. Revised Job Description – Tax Collector

This item was tabled to the May 15, 2006 meeting.

H. Resolution Authorizing Participation in ODP Training Reimbursement Program:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO ADOPT THE FOLLOWING RESOLUTION:

WHEREAS, THE STATE OF CONNECTICUT HOMELAND SECURITY GRANT PROGRAM ALLOWS FOR REIMBURSEMENT OF COMPENSATION PAID TO ELIGIBLE EMERGENCY SERVICE VOLUNTEERS PARTICIPATING IN TRAINING SESSIONS OR EXERCISES APPROVED BY THE OFFICE OF DOMESTIC PREPAREDNESS (HEREINAFTER "ODP"); AND

WHEREAS, ELIGIBLE MUNICIPALITIES MAY REQUEST SUCH REIMBURSEMENT FROM THE CAPITOL REGION COUNCIL OF GOVERNMENTS (HEREINAFTER "CRCOG") AT SUCH TIME WHEN FUNDING IS MADE AVAILABLE; AND

WHEREAS, COMPENSATION WILL BE PROVIDED FOR PARTICIPATION OF ELIGIBLE EMERGENCY SERVICES VOLUNTEERS IN ODP APPROVED TRAINING SESSIONS OR EXERCISES ONLY WHEN REIMBURSEMENT FUNDING FOR SUCH COMPENSATION IS AVAILABLE THROUGH ODP. SUCH COMPENSATION SHALL BE AT A RATE IN ACCORDANCE WITH ODP REIMBURSEMENT GUIDELINES AS AMENDED,

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SELECTMEN AUTHORIZES THE TOWN'S PARTICIPATION IN THIS ODP REIMBURSEMENT PROGRAM.

I. Set Town Meeting – New/Revised Ordinances:

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO WARN A SPECIAL TOWN MEETING FOR MONDAY, MAY 1, 2006 AT 7:15 P.M. AT THE ELLINGTON TOWN HALL TO CONSIDER ADDITIONAL NEW/REVISED ORDINANCES.

J. Additional Appropriation – Repair Floor at Center Fire Department.

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPROVE AN ADDITIONAL APPROPRIATION OF \$13,000 FROM FY 2005-06 UNDESIGNATED GENERAL FUND BALANCE TO THE CENTER FIRE DEPARTMENT BUDGET TO COVER THE COST TO REPAIR THE FLOORING, WHICH SUSTAINED DAMAGE DURING THE ASBESTOS REMOVAL, AS REQUESTED BY THE ELLINGTON VOLUNTEER FIRE DEPARTMENT AND PENDING BOARD OF FINANCE APPROVAL.

K. Request of DPW Director to Donate Vehicle to Kidsafe:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO AUTHORIZE THE PUBLIC WORKS DIRECTOR TO DONATE THE 1989 AEROSTAR VAN TO KID SAFE.

VI. ADMINISTRATIVE REPORTS: (so noted)

VII. SELECTMEN COMMITTEE REPORTS:

A. Personnel Committee:

1. Resignations:

MOVED (MILLER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO ACCEPT THE RESIGNATION OF DENISE ARCHIBALD, CULTURAL ARTS COMMISSION.

MOVED (MILLER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO ACCEPT THE RESIGNATION OF JENIFER EUKERS, VISITING NURSE AND HEALTH SERVICES OF CT BOARD OF DIRECTORS.

2. Appointments

MOVED (MILLER), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPOINT JOHN STREIBER AS DEPUTY EMERGENCY MANAGEMENT DIRECTOR TO FILL AN UNEXPIRED TERM TO JANUARY 31, 2007.

MOVED (MILLER), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPOINT SHAWN COSTELLO TO THE NORTH CENTRAL DISTRICT HEALTH DEPARTMENT BOARD OF DIRECTORS TO FILL AN UNEXPIRED TERM TO JUNE 30, 2007.

MOVED (CHARTER), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPOINT KATHERINE CUSSON TO THE HOUSING AUTHORITY TO FILL AN UNEXPIRED TERM TO JUNE 30, 2008

MOVED (MILLER), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO REAPPOINT SUSAN STACK TO THE HOCKANUM VALLEY COMMUNITY COUNCIL BOARD OF DIRECTORS FOR A THREE-YEAR TERM TO MARCH 31, 2009.

MOVED (CHARTER), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO REAPPOINT THOMAS CONNELLY TO THE BUILDING CODE BOARD OF APPEALS FOR A FIVE-YEAR TERM TO APRIL 30, 2011.

MOVED (MILLER), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO REAPPOINT EDWARD DUELL AND STACIE MIKOL TO THE WATER POLLUTION CONTROL AUTHORITY FOR FOUR-YEAR TERMS TO APRIL 30, 2010.

B. Ordinance Committee:

Ms. Way stated that the Ordinance Committee received a request to consider a Noise Ordinance. The Zoning Enforcement Officer is going to provide the Committee with ordinances from other towns. Mr. Stupinski stated that he can supply the Committee with information from the last time a Noise Ordinance was addressed.

Mr. Wasilefsky, Sullivan Road, stated that there was a problem with noise from the local bar and the Police could not address the complaints without an ordinance.

Mr. Miller stated that a resident who attended the Ordinance Committee meeting was hearing impaired and requested that the Town provide an amplifier and microphone at meetings, as required by ADA. Mr. Stupinski will forward the request to the ADA Coordinator.

1. New Ordinance: Identification of Landlords

MOVED (WAY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ESTABLISH AN ORDINANCE CONCERNING IDENTIFICATION OF LANDLORDS AS RECOMMENDED, AND AS SUBMITTED IN THE DRAFT BY THE TOWN ATTORNEY AND TO HOLD A PUBLIC HEARING ON MONDAY, MAY 15, 2006 AT 7:30 P.M. AT ELLINGTON TOWN HALL TO ALLOW CITIZENS TO COMMENT.

2. New Ordinance: Create Flood & Erosion Control Board

Mr. Stupinski stated that in order to apply for flood and erosion control grants, a Flood & Erosion Control Board must be in place. Mr. Wasilefsky expressed concern that lake residents will be assessed a tax if matching funds are required for a grant to enhance the lake. Mr. Stupinski assured him that lake residents would not be responsible for matching share grants as any improvements to the lake would benefit the entire population.

MOVED (WAY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ESTABLISH AN ORDINANCE TO CREATE A FLOOD AND EROSION CONTROL BOARD CONSISTING OF THE MEMBERS OF THE BOARD OF SELECTMEN AND TO REQUEST THAT THE TOWN ATTORNEY PREPARE A DRAFT FOR THIS PROPOSED ORDINANCE AND TO HOLD A PUBLIC HEARING ON MONDAY, MAY 15, 2006 AT 7:30 P.M. AT ELLINGTON TOWN HALL TO ALLOW CITIZENS TO COMMENT.

C. Town Policies Committee:

1. New Policy: Use of Town & Personal Vehicles for Town Business

Mr. Frawley stated that the new policy is ready for adoption. He noted that a section was added that requires the BOS to address the vehicle allowance for the Fire Marshal on an annual basis. It is his understanding that currently the Fire Marshal is the only employee receiving a mileage allowance which is submitted and approved by the Fire Marshal on a monthly basis. He also noted that such an allowance should be included in a paycheck and taxed as income, as required by law. The BOS will look at what has been paid in previous years and ask the Fire Marshal to explain how the rate was determined. This item was tabled to the May 15, 2006 Meeting.

VII. SELECTMEN LIAISON REPORTS: None.

IX. FIRST SELECTMAN'S REPORT:

Mr. Stupinski referenced a letter from the CT Water Company requesting Ellington designate a representative to serve on their Customer Advisory Council. He asked if any BOS member could attend a meeting on April 12 at 7:30 pm in East Windsor. Mr. Charter volunteered to attend the meeting.

Mr. Stupinski stated that he is seeking funding through CRCOG for the Windermere Avenue/Pinney Street roundabout.

Mr. Stupinski has met with representatives from the Town of Tolland regarding connecting Crystal Ridge Drive with Tolland and is optimistic that such connection will be made.

X. CORRESPONDENCE: So noted.

XI. ADJOURNMENT:

MOVED (CHARTER), SECONDED (WAY) AND PASSED UNANIMOUSLY TO
ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 9:31 P.M.

Submitted by

Marie Sauve
Marie Sauve

Approved by

Michael P. Stupinski
Michael P. Stupinski



MICHAEL P. STUPINSKI
First Selectman

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DENNIS W. FRAWLEY
ANN L. HARFORD
A. LEO MILLER, JR.
JAMES M. PRICHARD

LEGAL NOTICE OF PUBLIC HEARING TOWN OF ELLINGTON Monday, April 10, 2006

Notice is hereby given that the Board of Selectmen will hold a public hearing on Monday, April 10, 2006 at 7:30 p.m. prevailing time at the Crystal Lake School gymnasium for the purpose of allowing citizens to comment upon the following:

1. Application of the Crystal Lake Sailing Club for a regatta permit, permitting sailboat racing series and regattas on Crystal Lake at the below listed dates and times:

Between the hours of 12:00 noon and 3:00 p.m. on Sundays from June 4, 2006 through September 24, 2006.

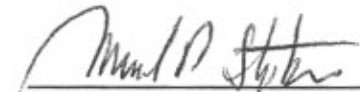
2. New Ordinance: Land Use Fees
3. Revision of Building Permit Fee Ordinance

All interested parties are encouraged to attend.

The above-noted new/revised ordinances are available to review in the Town Clerk's Office and First Selectman's Office.

DATED at Ellington, Connecticut, this 27th day of March, 2006.

BY ORDER OF THE
BOARD OF SELECTMEN


Michael P. Stupinski
First Selectman

Journal Inquirer – 4/3/06
pubhear/regatta.06 +

					V-A
	TAX COLLECTOR'S REFUNDS/ABATEMENTS				
	APRIL, 2006				
		MV/PERS.PROP		TAX/ASSESSOR	
DOLLAR AMOUNT	PERSON/CORPORATION	REAL ESTATE	YEAR	REQUESTING DEPT.	REASON FOR
	REFUNDS				
\$13.41	ANGELONI REFRIGERATION INC	MOTOR VEHICLE	04	ASSESSOR	VEHICLE STOLEN
\$62.22	DL PETERSON TRUST	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$159.49	HARBIN, CEANNE M	MOTOR VEHICLE	04	TAX OFFICE	OVERPYMT
\$45.23	LINK, EDWARD M	MOTOR VEHICLE	03	ASSESSOR	CORRECTION
\$1,572.48	LSI (for Richard & Diane Poirier)	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$1,361.31	LSI (for Dana & Denise Webber)	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$1,564.42	LSI (for Jeffrey Woods)	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$271.82	MARLIN LEASING	PERS. PROP	04	ASSESSOR	DISPOSED ASSETS
\$674.37	SERVICE LINK (for Janet & Frank Kalinowski)	REAL ESTATE	04	TAX OFFICE	OVERPYMT
\$14.85	SKILLIAN, SHERRI	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$118.17	SUBARU AUTO LEASING LTD	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$5,857.77	APRIL REFUND TOTAL				
	ABATEMENTS				
\$229.73	DESCHAMPS, MICHAEL A	MOTOR VEHICLE	03	TAX OFFICE	BANKRUPTCY
					pd tax; abate int only
\$229.73	APRIL ABATEMENT TOTAL				
\$6,087.50	APRIL, 2006 REFUND AND ABATEMENT TOTAL				
refapr06					